

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NSIGHT, INC.,

No. 3:04 CV 3836 MMC (MEJ)

Plaintiff,

vs.

**ORDER RE: DISCOVERY IN STATE
COURT ACTION**

PEOPLESOFT, INC.,

Defendant.

On May 11, 2006, the Court issued an order reiterating its prior order of April 13, 2006 (Doc. #116) that plaintiff nSight, Inc. was not entitled to discovery from third party Forrester Research, Inc. after the discovery cut-off. Doc. #124. Now before the Court is a letter from defendant Oracle USA, Inc.'s counsel regarding discovery in a state court action - *nSight, Inc. v. PeopleSoft, Inc.*, Alameda Superior Court No. 2002051531. Doc. #129. Apparently, nSight served Forrester with a subpoena in the state court action that seeks substantially the same discovery as nSight sought in this Court. Oracle requests that the Court require nSight to withdraw the subpoena. However, it is not the jurisdiction of this Court to determine relevant discovery in a state court matter. Accordingly, the Court hereby DENIES Oracle's request.

IT IS SO ORDERED.

Dated: May 18, 2006

